

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Olga Bentin	Team: Squad #4	CCRB Case #: 201905682	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Thursday, 06/20/2019 11:41 AM	Location of Incident: 6 Train Mezzanine, northeast corner Lafayette Street and Canal Street	Precinct: 05	18 Mo. SOL 12/20/2020	EO SOL 8/6/2021	
Date/Time CV Reported Thu, 06/20/2019 4:35 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 06/28/2019 11:08 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Meetpal Singh	15817	961292	TB DT02

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Joseph Cammarato	13689	960311	TB DT02
2. CPT Antonio Fidacaro	00000	938476	TB DT02

Officer(s)	Allegation	Investigator Recommendation
A.POM Meetpal Singh	Discourtesy: Police Officer Meetpal Singh spoke discourteously to § 87(2)(b)	
B.POM Meetpal Singh	Force: Police Officer Meetpal Singh used physical force against § 87(2)(b)	

Case Summary

On June 20, 2019, Capt. Antonio Fidacaro, from the Transit District 2, contacted the IAB Command Center and filed this complaint on behalf of a prisoner, § 87(2)(b). On June 28, 2019, this complaint was received at the CCRB.

On June 20, 2019, at approximately 11:41 a.m., § 87(2)(b) was arrested in the mezzanine area of the Uptown (6) train Canal Street subway station in Manhattan, for unauthorized sale of farecard swipes, forgery in the second degree, possession of forged instrument in the second degree, resisting arrest, and obstructing governmental administration (BR 02). During this incident, PO Singh allegedly said to § 87(2)(b) “You are a fucking asshole. You broke my watch” (**Allegation A: Discourtesy**, § 87(2)(g)). PO Singh then slapped § 87(2)(b) on the back of his head with an opened palm, causing § 87(2)(b) to lose balance, stumble forward, and roll down the staircase he was standing on (**Allegation B: Force**, § 87(2)(g)). As a result of the fall, § 87(2)(b) sustained two fractured ribs.

There are MTA and BWC video recordings of this incident which are discussed in greater details below.

Findings and Recommendations

Allegation (A) Discourtesy: Police Officer Meetpal Singh spoke discourteously to § 87(2)(b)

Allegation (B) Force: Police Officer Meetpal Singh used physical force against § 87(2)(b)

§ 87(2)(b), § 87(2)(g)

§ 87(2)(b) (BR 01) acknowledged that he was selling farecard swipes in the mezzanine area of the subway station. § 87(2)(b) was also under the influence of heroin. § 87(2)(b) approached a male, later identified as PO Meetpal Singh, and sold him a fare swipe for two dollars (\$2.00). As soon as § 87(2)(b) took the two dollars from PO Singh, PO Singh, using his left hand, grabbed § 87(2)(b)'s left wrist. § 87(2)(b) did not know PO Singh was a police officer so he grabbed PO Singh's left wrist and pulled PO Singh's left hand away, causing the strap on PO Singh's Apple watch to break and the watch to fall on to the floor. PO Singh released § 87(2)(b) and went to pick up his watch. Meanwhile, § 87(2)(b) ran towards the staircase to exit the subway station. § 87(2)(b) went up to the sixth or seventh step, when another officer, identified by the investigation as PO Joseph Cammarato, grabbed § 87(2)(b) by the back of his shirt and said, “Police. Stop.” § 87(2)(b) turned around and saw that PO Cammarato was holding a shield in his hand. § 87(2)(b) realized that PO Singh and PO Cammarato were officers and stopped. PO Cammarato brought § 87(2)(b) down, so that his stomach was touching the staircase, and handcuffed § 87(2)(b). Seconds later, PO Singh approached PO Cammarato and assisted him in lifting § 87(2)(b) off the floor. § 87(2)(b) denied resisting. PO Singh was visibly upset that his watch broke as he showed the watch to § 87(2)(b) and said, “You are a fucking asshole. You broke my watch.” PO Singh then turned § 87(2)(b) around to go down the stairs. As they walked down, PO Singh slapped § 87(2)(b) in the back of his head with an opened palm. § 87(2)(b) lost his balance, stumbled and rolled down the staircase, and landed on his left side. § 87(2)(b) did not feel any pain because he was under the influence of heroin.

§ 87(2)(b) requested medical attention and was taken to § 87(2)(b). § 87(2)(b) did not remember what happened to him while he was in the hospital. He was released on § 87(2)(b) and was then taken to the Manhattan Central Booking. § 87(2)(b) was then

brought to the § 87(2)(b) at § 87(2)(b) and he began to experience “excruciating” pain to the left side of his rib cage. An x-ray was performed, and § 87(2)(b) was diagnosed with two left rib fractures.

§ 87(2)(b)'s medical records from § 87(2)(b) Hospital document that he was brought to the hospital while in the police custody on § 87(2)(b), at 1:47 p.m., with a chief complaint of substance abuse and lower back pain. The records do not mention any fractures or that § 87(2)(b) was performed a CT-scan/x-ray/MRI (Privileged Documents).

§ 87(2)(b) was treated at the § 87(2)(b) on § 87(2)(b), for new patient admission process. His medical records note that, upon initial examination, § 87(2)(b) made no complaints of any sort of pain. The assessment notes the following: “encounter for genal adult medical examination without abnormal findings.” On June 24, 2019, § 87(2)(b) appeared at the § 87(2)(b) with a chief complaint of “unspecified pain.” It is noted that § 87(2)(b) refused methadone treatment stating that he did not want methadone, but was prescribed medication. The records do not mention any fractures or that § 87(2)(b) was performed a CT-scan/x-ray/MRI (Privileged Documents).

None of the BWC or MTA video recordings capture the alleged force or discourtesy.

PO Singh (BR 03) stated that he observed § 87(2)(b) selling swipes at the subway station and sold one to PO Singh for two dollars. § 87(2)(b) took two dollars from PO Singh. PO Singh then retrieved his NYPD shield from his pants pocket, showed it to § 87(2)(b) said that he was a police officer, and asked § 87(2)(b) to place his hands behind his back. § 87(2)(b) replied, “No, I am not going. I have an active warrant.” PO Singh then grabbed § 87(2)(b)'s right arm to place him in handcuffs. § 87(2)(b) resisted by flailing both arms, moving them up and down, and pulling away from PO Singh. PO Singh held onto § 87(2)(b)'s right arm and ordered § 87(2)(b) to stop resisting. During this struggle, § 87(2)(b) knocked PO Singh's BWC off his chest. § 87(2)(b) also snatched PO Singh's watch off his left wrist, released himself from PO Singh's grip, and ran towards the staircase. PO Singh immediately ran after § 87(2)(b). PO Cammarato ran behind PO Singh. § 87(2)(b) ran up four or five steps before PO Singh grabbed § 87(2)(b) by the bottom of his sweatshirt. § 87(2)(b) continued to pull away from PO Singh and said that he was not going to get arrested. PO Singh wrapped his left arm around § 87(2)(b)'s waist and held onto § 87(2)(b)'s sweatshirt with his right hand. They stumbled and fell onto the staircase. Simultaneously, PO Cammarato ran up the staircase and positioned himself above/in front of § 87(2)(b) blocking his way. § 87(2)(b) yelled, “Leave me. Leave me. I want to go,” and attempted to push past PO Cammarato. PO Cammarato then grabbed one of § 87(2)(b)'s hands and placed it behind his back. PO Singh grabbed § 87(2)(b)'s other hand and brought it behind his back as well. § 87(2)(b) continued to resist by stiffening his body and moving it side to side. PO Singh and PO Cammarato handcuffed § 87(2)(b) approximately a minute or two later, and § 87(2)(b) then stopped resisting. PO Singh turned § 87(2)(b) around to bring him down the stairs. PO Singh held § 87(2)(b) by his right arm and stood on his right side, slightly behind him. When § 87(2)(b) reached the second step, he tripped over his feet, fell down the steps, and landed on his back. § 87(2)(b) complained of back pain.

PO Singh denied saying to § 87(2)(b) “You are a fucking asshole. You broke my watch.” PO Singh denied slapping § 87(2)(b) in the back of his head, causing § 87(2)(b) to stumble and roll down the staircase. PO Singh believed that § 87(2)(b) tripped, because he was still under the influence of heroin. PO Singh acknowledged that he learned about § 87(2)(b)'s heroin shot only after § 87(2)(b) was brought to the hospital. PO Singh was asked if there was

anything else that could have caused § 87(2)(b) to trip and fall. PO Singh replied, “Well, probably his state of mind. He was just focusing on fleeing the station. And, once he was cuffed, he panicked and misjudged the step.”

PO Singh’s Threat, Resistance, and Injury Report (herein TRI) (BR 05) is generally consistent with his testimony.

§ 87(2)(g)

PO Cammarato acknowledged that § 87(2)(b) snatched the watch off PO Singh’s wrist during the struggle, and that PO Singh picked it up only after § 87(2)(b) was apprehended. § 87(2)(b) ran to the staircase and PO Singh chased after him. PO Cammarato ran behind PO Singh. PO Cammarato reached the staircase and saw § 87(2)(b) lay down on his left side on the fourth or fifth step of the staircase and PO Singh with both arms wrapped around § 87(2)(b)’s waist. PO Cammarato did not see what happened between PO Singh and § 87(2)(b) before he reached the staircase. § 87(2)(b) flailed both arms trying to release himself of PO Singh’s grip, and yelled something to the effect of, “Let me go,” and, “I have HIV.” After § 87(2)(b) was handcuffed, PO Cammarato moved one or two steps up so that he could stop § 87(2)(b) if he decided to run again. PO Singh placed a hand on § 87(2)(b)’s cuffs and his other hand on § 87(2)(b)’s left shoulder, and lifted him off the floor. PO Singh then turned § 87(2)(b) around to walk him down the staircase. When § 87(2)(b) reached the second step, he tripped over his feet and fell, and landed onto his side or back. PO Cammarato did not recall if PO Singh was still holding § 87(2)(b) by his shoulder and handcuffs when the latter fell. PO Cammarato did not know why § 87(2)(b) tripped and he did not see any physical barrier obstructing § 87(2)(b)’s way. PO Cammarato did not know that § 87(2)(b) used heroin the night before and he did not notice any symptoms of him being under the influence of or withdrawing from heroin.

PO Cammarato did not hear PO Singh say to § 87(2)(b) “You are a fucking asshole. You broke my watch,” or use any profanity towards § 87(2)(b). PO Cammarato did not see PO Singh slap § 87(2)(b) in the back of his head causing § 87(2)(b) to stumble and fall down the stairs.

§ 87(2)(g)

The Medial Treatment of Prisoner Form (BR 07) prepared by Sgt. Bryan Giordano, of Transit District 2, documents that § 87(2)(b) has a history of heroin use and suffers from chronic lower back pain.

The TRI Incident-Investigating Supervisor’s Assessment Report (hereon ISAR) (BR 11), prepared by Capt. Antonio Fidacaro, of Transit District 2, § 87(2)(g)

It is also noted in the report that Capt. Fidacaro interviewed § 87(2)(b) and that § 87(2)(b) told Capt. Fidacaro he “tripped while on the stairs and fell to the bottom.”

§ 87(2)(b), § 87(2)(g)

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Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which § 87(2)(b) has been a party (BR 08).
- Police Officer Meetpal Singh has been a member-of-service for three years and this is the first CCRB complaint to which he has been a subject.

Mediation, Civil and Criminal Histories

- This complaint was not suitable for mediation.
- A FOIL request was sent to the NYC Comptroller on September 11, 2019, for any Notice of Claim filed in regard to this incident. The results of the request will be added to the case file upon receipt.

- § 87(2)(b)

Squad No.: 4

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date